House passes $2.2 trillion relief bill

by Mark Ritacco

The House has passed a $2.2 trillion last-ditch COVID relief package ahead of the Nov. 3 election that would scale back many provisions from the original HEROES Act but still provide additional funding and flexibility to counties.

The Updated HEROES Act (H.R. 8406) passed on a largely party-line 214-207 vote Oct. 1. It preserved many major provisions from the HEROES Act (H.R. 6800), including an additional round of $1,200 relief checks, reauthorizing the small business lending program, resuming the $600 federal boost to the unemployment benefit through January, increasing food stamp benefits and providing assistance for the airline industry.

President Trump said Oct. 6 he would not negotiate additional aid until after the Nov. 3 election.

Of key importance to counties, the bill would provide $39.5 billion in direct and flexible funding to counties through new State and Local Coronavirus Relief Funds. It also includes county priorities for retroactive changes to increase the flexibility of the Coronavirus Relief Fund (CRF).

Deadline fuels CRF money uncertainty

by Charlie Ban

senior writer

Winter gets pretty cold in Ohio, and Hamilton County residents know it’s just getting started by Dec. 30. As that day approaches, the county will be sweating the progress on modifications to its homeless shelters while they’re being prepared to safely house people to prevent the spread of the coronavirus, along with many other programs.

With less than three months to go, Assistant County Administrator Holly Christmann is worried that somewhere along the line, things will be delayed and the county will end up losing out on some of the federal stimulus money counties have been given to defray the costs of mitigating the effects of the COVID-19 pandemic. That’s just one of many programs funded by the county’s $142.6 million allocation from the Coronavirus Relief Fund’s total of $150 billion for state and local governments, directly allocated to counties with populations of 500,000 or more.

“You’d hate for a few weeks to be the difference between bringing homeless people back to a shelter,” she said. “To make these modifications is so, so essential for the next few months, but the process of bidding things out, ordering supplies, dealing with backorders, they all add up and shorten that schedule.”

Without use of its shelters, Hamilton County would be forced to continue housing the homeless in hotels, but at that point without the use of CRF money.

“Like most governments, you want to be strategic and thoughtful about how these funds are spent and hoping they’re going to the most impactful areas,” she said.

Counties step up to provide hubs for childcare, virtual learning

by Rachel Looker

staff writer

As schools across the country stop in-person classes and switch to hybrid models involving virtual learning, counties are providing alternate options to fulfill the childcare and broadband needs for families with children.

Tarrant County, Texas joined with four agencies to create nine learning assistance sites that will be open for eight weeks through the end of October.

The county approved CARES Act funding to form the Tarrant County School-Age Child Care Collaborative.

“We thought it was essential to assist these children to learn while their schools were closed for in-person instruction,” Tarrant County Commissioner Roy Charles Brooks said.

Parents can send their child to the learning assistance site for $30 per week while the county covers the remaining
Counties in difficult budgeting position as CRF funding deadline nears

From CRF page 1

“Being able to use our shelters safely will be a better investment than renting hotel rooms night after night.”

In March, when the CARES Act was passed and signed, a December deadline didn’t seem necessarily burdensome. Now, with less than three months to go, counties are caught in a difficult budgeting position.

If they don’t spend that money on unforeseen expenses related to the pandemic, they lose it.

“No organization wants to give money back to the federal government,” said Jim Zervis, Kern County, Calif.’s chief operating officer.

“They’re going to use it some how, but it’s better to be able to plan and use that money for its best possible use, rather than spending it just to spend it.”

For Zervis, part of the problem comes from the unpredictable nature of the pandemic and its ongoing demands that counties have been meeting. It would be much easier if the worst was under control and counties didn’t have to plan for ongoing costs. It’s a sentiment that isn’t unique to Kern County.

“The need for these programs we’ve implemented won’t stop after Dec. 30,” Christmann said. “Things won’t change because of an arbitrary deadline. We’ll still be paying for testing and contact tracing, and then vaccine storage and distribution.

“We’re very grateful for the money and it’s made a difference, absolutely,” she noted. “We couldn’t have done any of these programs without this assistance, it’s making an impact, but we remain concerned about the deadline.”

The county’s rental assistance phone lines have been busy, and though Ohio’s eviction moratorium currently lasts until January, there’s still a lot of uncertainty.

“It just seems right now like a lot of programs would end in the dead of winter,” Christmann said. “Right when the need is greatest.”

Hamilton County has let its congressional delegation know that it needs more time; Christmann says six months. But as requests and congressional proposal surfaces, the uncertainty rises for Zervis, whose county makes almost weekly adjustments to meet California’s standards for reopening sectors of county economies.

“There’s been enough talk about extending the deadline that we’re hesitant to fully spend it on things that might not be as high a priority as ongoing direct costs we know are going to continue into January,” he said. “We don’t want to spend it all and then get an extension.”

Kern County allocated $12 million of its overall $157 million federal CRF share to provide nurse staffing for intensive care units in county hospitals.

“It’s expensive, but we entered into agreements to make sure we have that capacity,” Zervis said.

So far, the county’s ICU case rate was far below what was expected, and the program has only spent $1 million, but Zervis can’t move it elsewhere yet.

“As we get closer to the end of the year we’ll have to shift that money into a new program, but I’d argue it’s more prudent to have that money and those beds available in case this gets worse over the winter than to have to reallocate money in the middle of flu season.”

Zervis is eyeing the end of October for a budgetary reevaluation.

“We don’t have ‘A’, ‘B’, and ‘C’ plans, we just evaluate what we need and where we see things trending,” he said.

“The timeframe for spending CRF money was further shortened by a long process for clarifying and modifying reporting requirements.

The U.S. Department of Treasury’s Office of Inspector General released such clarifications Sept. 21, addressing contradictions in guidance pertaining to new requirements associated with reporting and tracking payroll expenses for public safety, public health and human services employees who are “substantially dedicated” to addressing and mitigating the pandemic’s impacts.

Only after Hamilton County received that guidance was it able to send out notices to its 49 jurisdictions of their reimbursement eligibilities.

Christmann was somewhat dejected to confirm that the county can’t use CRF money to pay for future recurring costs. So the county can supply internet hotspots to schools and recreation centers, but starting Dec. 31, they’ll be on their own to pay for service.

“I’ve been very impressed we’ve been able to follow our processes and move as fast as we can, but it’s not fast enough,” Christmann said. “This has led to a lot of sleepless nights.

“This whole process is going to result in dollars allocated for needs going unspent, and I don’t think that’s that intent of these dollars.”

Managing these constantly changing budgets on top of the normal county budget process takes a significant amount of Zervis and his staff’s time.

“We know we’ll be dealing with significant COVID-19 costs through the rest of this fiscal year at least,” he said. “This is an everyday issue for us.”

There is one slight silver lining for Zervis, who started with the county just as the pandemic began escalating.

Although counties have had to lay off and furlough employees, the nature of CRF management has allowed Kern County to avoid that for Zervis’ staff.

“This is work directly related to the effects of the pandemic, so we’ve been able to shift personnel to work on programs and pay them using the CRF. That’s allowed us to keep some staff on the county that we might have otherwise lost.”

SNAP/STATS

OCTOBER: CELEBRATING COUNTRY MUSIC

TOP COUNTRY SONGS

ARTIST

1. “STAND BY YOUR MAN” —— Tammie Wynette
2. “HE STOPPED LOVING HER TODAY” —— George Jones
3. “CRAZY” —— Patsy Cline
4. “RING OF FIRE” —— Johnny Cash
5. “YOUR CHEATIN’ HEART” —— Hank Williams

Source: Dave Tompkins Music Database

Counties are responding to residents’ needs and providing expanded essential services in the COVID-19 crisis AND THE COSTS ARE RISING.

COUNTIES ARE SPENDING ON:

- Supplies
- New care centers
- More doctors, nurses and clinicians
- Housing for citizens isolation
- Call centers for resident monitoring
- Emergency leave and overtime

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County learning hubs provide childcare options, virtual learning during COVID

From LEARNING HUB page 1

$170 cost of each child per week.

“We set up this collaborative so that they would have a place to go during the day, could get online with their instructional program and be in an environment where there is a qualified adult to help them get through their learning activities online,” said Brooks, a former NACo president.

Four agencies are involved in the learning assistance sites and include Clayton Youth Enrichment, the Boys & Girls Club of Greater Tarrant County, Girls Inc. of Tarrant County and the YMCA of Metropolitan Fort Worth.

Jason Ray, president of Clayton Youth Enrichment, said there were concerns throughout the county over both child care and access to adequate internet.

Around 450 students have attended the sites where COVID-19 safety measures are in place and include small group sizes of 10 children per group, face masks and other social distancing measures.

Ray said families did not have to qualify to participate in the program.

“We know families across all income levels could be put in a bind both with their time as well as financially with something that was so unexpected,” he said.

Wicomico County, Md. launched a similar center to help families in the community.

The Kids Klub Learning Center provides childcare for Wicomico County Public School students and similarly has staff supervising students as they follow their virtual curriculums and complete assignments.

James Simmons, recreation superintendent for Wicomico County Recreation, Parks & Tourism, said the parks department typically runs after-school programs in at least eight different locations pre-COVID.

When the school year started and it became clear they would not be able to hold normal programming, the department decided to use their resources to support new needs within the county.

“We realized parents were having to make some really tough decisions to either decide, ‘Am I going to quit my job and stay home?’ or ‘Am I going to quit my job and stay home?’” he said.

Simmons said there was available space to hold a center for children at the county-operated Civic Center, where all events have been cancelled since March.

The learning center targets second through fifth graders. Every day during the week, children eat breakfast, log into their Zoom class, take a break for recess and lunch and have time to play before working on schoolwork or virtually meeting with teachers in the afternoon.

Each student brings their own device but accesses the internet provided by the civic center.

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- James Simmons, Wicomico County, Md.

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The center is following all COVID-19 protocols with only 13 students and two staff assigned to each classroom. Students do not interact with anyone outside of their group and complete daily temperature checks and symptom screenings.

The county worked with the health department to use CARES Act funding to lower the weekly cost of the program from $200 to $128.

“I know that the goal is that we can help those families that are at a crossroads and having to make decisions,” Simmons said. “Hopefully this is a way they can do it all and stay at work and have a place for their child to go that’s safe and helps them in their learning.”

The program will stay open as long as there is a need in the community, he said.

Nevada County, Calif. also utilized CARES Act funds to create a distance learning center and youth hub at the Nevada fairgrounds.

“We need to have some place where kids could go that would be COVID-safe so it would have to be a large space and many of our kids in these rural areas are lacking good broadband,” said Nevada County Supervisor Heidi Hall.

The county is leasing the state-run fairgrounds which is mutually beneficial for both county residents and fairgrounds staff since events have been cancelled since March.

The space is large enough to follow COVID-19 safety protocols, Hall said.

With lack of broadband a major challenge in the county, Hall said the county is working to provide hot spots at the center to increase broadband capabilities.

The CARES funding will cover the lease through the end of December and the county is providing additional county funds to cover the entire school year.

“They can come into that space to do their homework or kids who are in school can go there after school for youth activities,” she said.

Most schools throughout the county are following hybrid models, she said.

“I think anybody who’s trying to work with their kids at home and teach their kids is very stressed out,” Hall said.

“I think it’s going to fill a huge need and be very much appreciated.”

Students take virtual classes at one of the nine virtual learning assistance sites as part of the Tarrant County School-Age Child Care Collaborative in Tarrant County, Texas. Photos by Bernice Phillips, Clayton Youth Enrichment
established under the CARES Act (PL 116-136).

Although the revised House package represents a potential compromise, the Senate has already indicated the bill is still too costly and the White House has sought to hold the funding level at $1.5 trillion.

The $89.5 billion in direct and flexible funding is a reduction of nearly $100 billion from H.R. 6800, but this new funding can be used for COVID-related expenses, to replace lost revenues not projected on Jan. 31, 2020, or to respond to negative economic impacts of COVID-19. The new funds would not have a spending deadline, providing flexibility over the next several years. The bill would allow those funds to replace lost revenue and extend the date of expenditure for CARES funds to Dec. 31, 2021. State governments would receive $238 billion in direct and $19 billion would go to tribes and territories.

The Updated HEROES Act contains many of the same provisions outlined in H.R. 6800. Among these, the Updated HEROES act preserves:

- Expanded unemployment benefits of $600 weekly through January 2021
- Funding for election assistance and security ahead of the 2020 election
- The temporary uniform SNAP benefit increase of 15 percent
- Emergency funding for Head Start programs
- Supplemental funding for key workforce and training programs under the Workforce Innovation and Opportunity Act
- Funding for mortgage and rental assistance for home-owners and renters
- The clarification that public and private sector employers are covered by the Family Medical Leave Act (FMLA) and the suspension of the prerequisite eligibility requirements for FMLA until December 2022
- Funding to investigate or address the disproportionate impacts of the COVID-19 pandemic in environmental justice communities
- Language preventing counties that receive any funding under the bill from disconnecting or interrupting water or energy service to ratepayers that have not paid their bill due to COVID-19
- Expanded local access to the Federal Reserve’s Municipal Liquidity Facility, a program that NACo has advocated expanding
- Funding for grants under the U.S. Department of Justice to assist counties in addressing issues brought on by the pandemic in local jails, courts and other areas of the criminal justice system
- Funding for the 2020 Census to meet additional expenses incurred due to the coronavirus pandemic

Ritacco is director of Government Affairs at NACo. Associate Legislative Directors Eryn Harley and Rachel Merker contributed to this article.
Tiny homes community created for transient population

by Rachel Looker
staff writer

For a new housing community in Bernalillo County, N.M., it’s all about the location of a neighborhood-scaled tiny home village to house individuals experiencing homelessness.

Bernalillo County Commissioner Debbie O’Malley, who has a background in affordable housing, spearheaded the idea with council members from the City of Albuquerque to create a community of tiny houses in the county.

The village offers holistic housing intervention and provides safe, dignified transitional housing for individuals experiencing homelessness. Its close proximity to amenities provide support services for employment and the stabilization of residents.

The village is currently under construction and will open in December 2020.

O’Malley said the idea for the project came about several years ago when community members raised concerns about homeless individuals throughout the county.

In November 2016, voters approved a $2 million general obligation bond to fund the development of the home village pilot project.

O’Malley wanted to find a location for the tiny home model that had more of a community feel and determined it would be within the City of Albuquerque. The village is “neighborhood-scaled” to fit into the community.

When searching for the right location, O’Malley said the Albuquerque Indian Center, a non-profit organization, had a large piece of property behind its building. The lot is near a major transit corridor, a clinic and other support services.

The county negotiated a long-term lease to build the village and formed an operating agreement with the organization to run the community. After completing some zoning changes, they started construction.

The Tiny Homes Village will have 30 units and a main building with a kitchen, communal space and bathrooms. Each individual unit has a bedroom that is heated and cooled with a separate front door and porch.

Residents living in the village will have access to support services run by non-profits to address mental illness and addiction problems. A licensed case manager will oversee a group of occupational therapy counselors and a psychiatric nurse will be on hand for mental health crisis situations.

O’Malley said the uniqueness of the village is its location and proximity to transportation and other services.

“This is a high-quality project that was very important and we have several partners that are working with us to get it done,” she said.

A review process conducted by the nonprofits and villagers will determine who lives in the village.

“It really is behavior-based whether or not people are a good fit,” O’Malley said.

Isle Biel, the future resource manager for the village, said there is a three-strand referral process with a coordinated entry system organized by different agencies. Individuals are assessed or nominated by community members who work with individuals on the street.

A selection group will consist primarily of villagers who will make final selections.

“It’s this community-building aspect, so that the community grows incrementally so it’s not suddenly 40 people living together, but it’s an incremental growth,” she said.

Biel said the village is seen as a transitional housing project.

“People can stay as long as they need to, but we’ll work very strongly with them to see where they want to get to and try and help them to get there,” she said.

Other housing options often leave individuals feeling like they lost their community they were a part of on the street, Biel said.

The project is a symbiotic relationship with the county and grassroots activists. Biel said she thinks other counties could benefit from replicating a similar partnership.

“The goal of this is really to create that community where everyone is sort of having someone else to kind of lean on in different ways,” Biel said.

O’Malley said the county hopes to be involved in the construction of more tiny homes.

“I hope what this project will demonstrate is that because it was thoughtful, it was scaled to a neighborhood, it is something that the neighborhood finally could recognize,” she said. “It makes sense to look at projects like this within a community, not outside of the community.”
In our current remote work environment, the susceptibility of a cyberattack has significantly increased with users being exposed to new vulnerabilities that threaten the critical work counties conduct daily. At the same time, the dynamic nature of cybersecurity makes it more imperative that county information technology (IT) leaders continue to increase their knowledge around both cyber security and leadership skills.

To that end, NACo had the foresight to partner with the High Performance Leadership Academy in 2018 to bring two core courses to NACo members: The High Performance Leadership Academy and the Cybersecurity Leadership Academy. While in my former role as CIO for the County Commissioners Association of Pennsylvania, I had the privilege of completing the Cybersecurity Leadership Academy. I can say it was one of the top online education experiences I have ever had.

“One of the learnings I took away from the course was how to get to ‘yes’ even when the immediate answer was no.”

I had the opportunity to watch the recently released movie “The Nevernight Connection,” produced by the National Counterintelligence and Security Center (NCSC) and the FBI.

“Wow” is all I have to say! While fictional, the 30-minute movie is based on true events. Do you remember the case a few years ago about former CIA agent Kevin Mallory? Early in 2019, he was sentenced to 20 years in prison for spying for China; he was accused and convicted under the Espionage Act for selling classified U.S. defense information.

How did it start? Just like I described above. “Wow” is all I have to say! While fictional, the 30-minute movie is based on true events. Do you remember the case a few years ago about former CIA agent Kevin Mallory? Early in 2019, he was sentenced to 20 years in prison for spying for China; he was accused and convicted under the Espionage Act for selling classified U.S. defense information.

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California counties face time crunch after juvenile justice realignment from state

by Rachel Looker
staff writer

A realignment of juvenile justice services in California is giving counties an added responsibility on a short timeline.

California Gov. Gavin Newsom (D) signed a bill at the end of September to close the Department of Juvenile Justice (DJJ) and youth prisons, shifting the responsibility of all justice-involved youth to counties.

The bill aims to keep youths closer to their families to lower recidivism rates and create an easier transition into the community. This issue has been on the table for months with Newsom announcing last May that he would work to remove the DJJ from the California Department of Corrections and Rehabilitation.

The transfer will now take place on July 1, 2021.

Josh Gauger, a legislative representative with the California State Association of Counties (CSAC), said counties experienced the first realignment round several years ago, when they saw a shifting of responsibility of lower-level youth offenders to the county level.

Counties have since been responsible for around 90 percent of youth in the juvenile justice system. With the recently approved legislation, approximately 800 youth who are higher-level offenders will now be under the county’s watch.

“Counties that are already doing a good job of keeping higher-level offenders will be finding ways to incorporate and build off successful programs that are currently operating and serving youth with significant needs in other counties. We certainly don’t want to see justice by geography anymore,” said Karen Pank, executive director of the Chief Probation Officers of California, said the passing of this bill is going to have different impacts on counties of varying sizes.

In El Dorado County, which is considered a rural county, Richart said there is an average of two youth from the county in the state DJJ. However, he explained one year, four individuals were in custody simultaneously.

“That’s obviously a bubble... but the idea of dealing with a bubble like that without a DJJ takes on a whole different construct because we won’t have the resources to be able to build up a program locally that will just handle our DJJ cases,” he said.

El Dorado County is looking for solutions to meet the July 1 transition date including becoming a regionalized program to provide for youth from other counties or contract services from another county and move youth to those locations.

The county is also in the process of building a new detention facility, and may be able to incorporate these new needs into the construction, Richart said.

Richart said the timeline “puts a lot of pressure on counties.”

“Usually you would have a couple of years to figure out the program components, the resources, the distribution of revenues... all of those things take specialized treatment and specialized programming and if we don’t have that, you need to create it,” he said.

“I think it would be helpful for people to think about when you’re doing this, when you’re closing down resources, you need to do that very thoughtfully and I think that a lot remains to be seen as to whether this legislation was created thoughtfully enough,” he added.

A probation officer helps youth with schoolwork in Sacramento County, Calif. Photo courtesy of the Sacramento County Probation Department
Cay Renick, director of the Hutchinson County Historical Museum, designed the Hutchinson County seal in 2018. Renick worked as a graphic designer prior to his role with the museum.

HUTCHINSON COUNTY, TEXAS

The symbols and color palette of the seal represent the history of the county. Colors used in the seal are based off the river plain near the Canadian River, which runs across Hutchinson County, and includes vibrant colors from millions of years of erosion.

An arrowpoint represents the pre-historic Native American Antelope Creek culture and the Plains Indians that once lived in the area.

A windmill, longhorn and tractor symbolize the farmers and ranchers who came to the county in the mid-to-late 1800s.

The pump jack, derrick and refinery symbols represent the oil boom in the 1920s.

Around the perimeter of the seal, a rope represents the early ranchers who tamed the plains and brought civilization to the area.

If you would like your county's seal featured in “Behind the Seal,” contact Rachel Looker at rlooker@naco.org.

NACo OFFICERS
- President Gary Moore spoke Sept. 23 at the Utah State Association of County Commissions and Councils fall conference in Wasatch County.

NACo STAFF
- Janet Fernandes has joined NACo as controller. Prior to joining NACo, she served as controller for the National Association of Attorneys General and Omega World Travel Inc. Janet holds a bachelor’s degree in Accounting and Auditing and a master’s degree in Business Administration.
- Brett Mattson is now an associate legislative director, managing justice and public safety issues. He was previously a legislative associate, legislative assistant and legislative intern.
- Aaliyah Nedd is now a legislative assistant. She previously served as an administrative assistant at NACo.
- John Losh is now associate membership director. He previously served as membership marketing manager, membership associate and legislative intern at NACo.
- Sarah Gimont is NACo’s new Legislative Assistant and will cover regulatory activities, as well as prepare and conduct meetings and educational sessions. Prior to joining NACo, Sarah served as Government Affairs coordinator with Summit Strategies and interned on Capitol Hill. Sarah holds a bachelor’s degree in International Relations and Modern History.

LARAMIE COUNTY, Wy.

Created by: Mary Ann Barton

BILLIONAIRES: Wyoming has more billionaires per capita than any other state.
BUFFALO: Visitors to the county can see buffalo at the Terry Bison Ranch.
CHEYENNE: The state capital is the county seat of Laramie County.
COURTHOUSE: The current Laramie County Courthouse was built in 1995-1996.
HISTORY: The county was created Jan. 9, 1867.
MILITARY: The military has had a large presence, with a base in the area since 1867.
NEWSPAPER: The local newspaper is the daily Wyoming Tribune Eagle, founded in 1867.
ORIGINAL: The county was one of the state’s four original counties, established in 1867. The others are Albany, Carbon and Carter counties.
POPULATION: The county has the highest population in the state, 99,500, according to the U.S. Census Bureau.

RAILROAD: Union Pacific Railroad surveyed the area in the 1860s. The area was deemed a perfect spot due to its geography for locomotives to cross the Rocky Mountains.
RODEO: The biggest rodeo in the country, Cheyenne Frontier Days, is held in the county each summer. The 124th rodeo was canceled in July for the first time, due to the pandemic.
SNOW: The average annual snowfall for the county is 58 inches.
SOUTHEAST: The county is located in the southeast corner of the state.
TRADER: The county was named for Jacques La Rannee, a French-Canadian fur trader.
TROUT: Anglers cast their lines for all kinds of fish in the county including at Curt Gowdy State Park, named after the late sportscaster and Wyoming native.
Diversity initiative stresses county prosperity, opportunity

by Charlie Ban
senior writer

When Al Vanderberg pitched the idea of starting Michigan’s first county-level diversity, equity and inclusion program, the Ottawa County Board of Commissioners listened. When he mentioned he had commitments to fund nearly half of the program’s costs for the first five years from the private sector and philanthropies, they were sold.

“That helped show it was important to community leadership throughout the county,” said Vanderberg, the county administrator. “They were willing to put their money into it.”

The initiative was born out of reinforcing the county’s economic strengths and taking a cue from private employers. It was also the next step in a process that started nearly a decade ago, when the country was emerging from the Great Recession.

“We were thinking about how we could take Ottawa County to the next level,” Vanderberg said. “What are the areas where we need to be more proficient or have a greater understanding?”

They came up with customer service, creativity, communication and cultural intelligence.

“We didn’t know a whole lot about the last one,” Vanderburg said. “We didn’t often talk about implicit bias and white privilege. It can be as simple as how someone phrases something to a member of the public, something that might be well-intentioned but not seen that way by the other person.”

The county leaned on the Lakeshore Ethnic Development Alliance, a Western Michigan organization that developed a training program delivered to 650 employees, totaling eight hours over two days. What Vanderburg heard later encouraged him.

“I always pushed hard to create great development opportunities for employees, but I’d never had more people contact me later with good feedback like that,” he said.

Then he heard input from outside. At a meeting of the Leadership Enterprise for a Diverse America (LEDA) CEO Council, Vanderburg heard from executives who saw globalization give their businesses options.

“I learned that our presidents and CEOs of our largest employers were of the mind that if areas like Ottawa County weren’t welcoming, it would be harder to look anywhere else to expand,” he said. “That gave diversity training a persuasive argument — our platform was to be more welcoming, for our prosperity, which works better than blame, shame and guilt.”

Along the same lines, the county’s cultural intelligence strategy gave employees the benefit of examining their backgrounds, and the media messaged that they have received all of their lives. This coincided with Ottawa County’s pointed rebranding as Board members attending a diversity forum, held in conjunction with the Government Alliance, a Western Michigan organization that developed a training program delivered to 650 employees, totaling eight hours over two days. What Vanderburg heard later encouraged him.

“The dominant culture isn’t easy to address them head-on, rather than yelling, “Vanderburg said. “Not only do we have partners that I can go to, to get things done when we can’t spend county money, but we have input that will help us anticipate what we need to do to be a business-friendly environment.”

Though Vanderburg noted the county’s DEI efforts initially garnered public criticism in the form of anonymous emails, those have faded with time.

“The Cultural Intelligence Committee continues to operate in partnership with the DEI department, with members from county courts, public health, the sheriff’s office and human resources.

“Relationships are the most important thing in getting something done,” Vanderburg said. “The dominant culture isn’t eager to talk about this stuff, your familiar circles are likely the same as you, so you aren’t seeing the impact. But the work we do here will make us a better county for our residents, and I’m proud of the work our employees have done to make that happen.”

Ottawa County also got involved in Advocates and Leaders for Police and Community Trust, which fostered relationships between minority communities and law enforcement, developing relationships that could be called upon in times of trouble and conflict to work toward resolution.

“When events happen, we have the relationships in place to address them head-on, rather than running to the media and yelling,” Vanderburg said.

By 2018, the county built up enough momentum and credibility in the private and philanthropic sectors to support a full-time Diversity, Equity and Inclusion Department, and the county hired a director in 2019 from one of its private corporations.

That department’s goal is to create tools for every county department and division to perform periodic self-assessments, to create a DEI strategic plan for the county, and to create partnerships with the 24 units of government within the county to share those tools. For the first five years, Ottawa County will spend roughly $630,000 on the department.

“Really, the private sector has helped with the feedback,” Vanderburg said. “Not only do we have partners that I can go to, to get things done when we can’t spend county money, but we have input that will help us anticipate what we need to do to be a business-friendly environment.”

The county’s DEI efforts initial garnered public criticism in the form of anonymous emails, those have faded with time.

“As the county’s cultural intelligence initiative picked up steam, Vanderburg secured commitments from the county’s 36 departments and divisions to pursue it; a shift that represented organizational cultural change more than if he decided on it by administrative fiat.

The county’s Cultural Intelligence Committee assembled a mix of employees of various races, genders, ages and job functions to represent a diverse set of experiences, and those employees drew on those experiences to help flesh out training needs and opportunities.

“It was sometimes as simple as Board members attending cultural events and naturalization ceremonies,” Vanderburg said, “letting residents know that they are recognized and the powers-that-be know who they are. It can be very meaningful for someone like that to show up.”

In 2016, the county held its diversity forum, held in conjunction with the Government Alliance on Race and Equity. It was initially open to county employees, but now employees from any government in Ottawa County can attend. The pandemic has forced this year’s forum, scheduled for late October, online. The county began taking nominations for an Excellence in Equity Award in 2019, recognizing county employees who impact the public sector field and focus on the importance of equity through their practices, programs, policies and decision-making.

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While the 2020 election could involve some court cases, there was a clear winner last year in Ballot Drop Box v. SUV, two days before a Washington state primary election.

Right in front of Lacey City Hall, an inebriated driver took aim at the box, which responded "Make my Election Day." Things did not go well for the driver. "While it did knock the box out of the ground, the SUV was high centered on it, and it totaled the SUV," said Thurston County Auditor Mary Hall. "The public works staffer just stood it back up in the morning. It had tire tracks on it, but it didn't have a dent. Not so much for the SUV."

Hall, in Thurston County and while elections supervisor in Pierce County, has worked with a local fabricator over the years to design the drop boxes to be as secure as possible. "They're a quarter-inch stainless steel, powder coated and they're all welded so there aren't any rivets," she said. "They're really, really strong."

The county's 29 permanent drop boxes now collect more than 70 percent of the ballots. "It's the most direct way of returning your ballot," Hall said. "No delivery problems, you cut out the middle-man and the chance for your ballot to be lost in a sorting error."

They are also fireproof. "There's a very small slot — 4 inches long and a half-inch tall — and it's angled, so it would be hard to pour anything in there," Hall said. "We did fire tests and there's not enough air in there to keep a fire going."

"Plus, it's a felony to tamper with ballots."

That was a concern for Marion County, Ore. Clerk Bill Burgess. "Even before we were concerned with wildfires, we were concerned with fiery rhetoric," he said. "Nothing's 100 percent, but we feel pretty confident in the security of our drop boxes. You're not going to be able to fit a cherry bomb in there or anything."

"Clerks are always thinking about worst-case scenarios."

Just for good measure, Marion County reinforces their drop boxes with rebar, reinforcing steel. "They go a good 7.5 inches into the ground," Burgess said. "If they want to take the 600-pound ballot boxes, they have to take the rock with them."

Pierce County presented best practices for ballot drop boxes to the National Association of Election Officials in 2014. Among the county's recommendations for ballot box design and use:

- Separate walk-up and drive-up deposit points
- Deposit slot heights for cars and wheelchairs, designed for use with one hand
- No grip points for forced entry
- Doors that open out at an angle if not locked
- Large side points that protect openings from rain, along with a drip edge to protect ballots when the box is opened following rain
- Aim to place boxes within 10 minutes driving time of residents (in states that allow more than one drop box per county)
- Public facilities are ideal locations
- Daily ballot pickups

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Supreme Court to hear voting case

by Lisa Soronen

In Brnovich v. Democrat ic National Committee, the Supreme Court will decide whether Arizona’s refusal to count out-of-precinct votes violates Section 2 of the Voting Rights Act (VRA) and whether Arizona’s limits on third-party ballot collection violate Section 2 of the VRA and the Fifteenth Amendment.

Arizona wholly discards out-of-precinct votes instead of counting the votes for the races the voter was eligible to participate in (like U.S. president) no matter what ballot they completed.

Arizona also criminalizes, with some exceptions, third-party collection of another person’s early ballot.

Section 2 of the VRA prohibits intentional discrimination based on race or color in voting and election practices that result in the denial or abridgment of the right to vote based on race or color. If discrimination is intentional it also violates the U.S. Constitution’s Fifteenth Amendment.

Over a number of dissenting judges, the en banc Ninth Circuit agreed with the Democratic National Committee that the out-of-precinct statute violates Section 2 of the VRA because it “adversely and disparately” affects Arizona’s minority voters. The court also held that the third-party collection statute violates Section 2 of the VRA and the Fifteenth Amendment because it was enacted with discriminatory intent.

Specifically, regarding the results-based VRA claims, the Ninth Circuit concluded that both provisions resulted in a “disparate burden on members of the protected class” and that under the “totality of the circumstances” the burden is linked to “social and historical conditions” in Arizona.

Regarding wholly discounting out-of-precinct votes, the court found results-based discrimination because minority voters in Arizona cast out-of-precinct votes at twice the rate of white voters. Regarding third-party ballot collection, the court found that prior to enacting the law “a large and disproportionate number of minority voters relied on third parties” to collect and deliver their early ballots.

The Ninth Circuit also concluded that intentional discrimination motivated the Arizona legislature to criminalize third-party ballot collection. According to the court, the law would not have been enacted but for “unfounded and often far-fetched allegations of ballot collection fraud” and a “racially tinged” video showing a man of apparent Hispanic heritage appearing to deliver early ballots narrated with “innuendo of illegality . . . [and] racially tinged and inaccurate commentary.”

The Arizona Republican Party argues in its petition asking the court to hear this case that the theory the Ninth Circuit adopted isn’t applicable to “vote denial” cases like this one.

The Arizona Republican Party urges the Supreme Court to reject the notion that voting procedures that are “race-neutral and offer all voters an equal opportunity to vote” violate Section 2. In its petition asking the court to review this case it states:

“[O]ver the past decade, a proliferation of lawsuits have invoked § 2 to challenge an array of ubiquitous, race-neutral “time, place, and manner” voting procedures, such as how voters may register to vote, when they can vote early or absentee and what they must show to prove their identities. Although such rules leave the voting process equally open to everyone, the theory behind these challenges — part of a concerted effort to use the federal courts to radically transform the nation’s voting practices for partisan advantage — is that any voting regimes that are not proportionately utilized by racial minorities are discriminatory “denials” of the right to vote. On that construction of § 2, the Voting Rights Act requires states to adopt any alternative voting rule or procedure that would maximize participation by racial minorities, even if the existing procedures are race-neutral, do not block anyone from voting, and offer all voters an equal opportunity to participate in the political process.”

Lisa Soronen is the executive director of the State and Local Legal Center. Previously, Soronen worked for the National School Boards Association, the Wisconsin Association of School Boards and clerked for the Wisconsin Court of Appeals.
When NACo members tune in for the NACo Virtual Federal Policy Summit set for Oct. 21-22, they’ll walk away with meaningful takeaways that will help constituents at home.

With the challenges of in-person meetings due to the pandemic, the two-day meeting is an opportunity for NACo members and others to connect, learn and exchange practical information with federal and other partners to help strengthen county government.

“As we continue to face the reality of the coronavirus pandemic, along with our countless other responsibilities, we welcome opportunities to enhance partnerships that help us achieve results for our residents,” said Boone County, Ky. Judge-Executive Gary Moore, NACo president.

“The federal policy agenda is packed with issues that impact counties, and it’s more important than ever that we remain at the table.”

Moore is encouraging his fellow county officials to take part in the summit. “The virtual policy summit will feature informative speakers and practical advice on how counties can access federal resources and navigate federal programs that support our local priorities,” he said.

Topics scheduled for discussion include broadband, healthcare, infrastructure, COVID-19 relief, public lands, disaster assistance and more.

**HERE’S A LOOK AT THE AGENDA:**

**OCT. 21**
- Examining Federalism and Intergovernmental Partnerships
- Rebuilding America’s Infrastructure
- Understanding County Broadband Issues

**OCT. 22**
- Resources for Effective Advocacy
- Delivering Robust Health and Human Services During COVID-19
- County Resiliency with FEMA
- Managing Federal Lands

To register, visit [www.NACo.org/virtual-summit#reg](http://www.NACo.org/virtual-summit#reg).

There is no cost to attend. Viewing details will be shared via email by Oct. 20.
COUNTY NEWS NATIONAL ASSOCIATION of COUNTIES OCTOBER 12, 2020 13

BRIGHT IDEAS | SAN BERNARDINO COUNTY, Calif.

County’s Old West Days Provides Authentic History, Builds Community

PROBLEM:
Tell the stories of a county’s diverse population and cultural landscape in authentic ways.

SOLUTION:
Create an event that gives a voice to a variety of cultural figures to share a county’s history.

by Rachel Looker
staff writer

For two days in January, residents in San Bernardino County, Calif. are transported back in time to hear firsthand from experts in the community about the many diverse cultures that shaped the county’s history.

San Bernardino County Museum’s Old West Days allows visitors to experience the county’s past, participate in activities and demonstrations and hear about contributions from diverse cultures that go beyond traditional myths and legends.

San Bernardino County Museum Director Melissa Russo said museum staff had the idea to hold Old West Days after brainstorming ways to focus on diversity, equity, access and inclusion while building new programs to attract more visitors to the museum.

“We just wanted to do some fun, big community event, but we wanted to do it in a way that was really inclusive and really authentically inclusive because the pioneer story as traditionally told is a myth,” Russo said.

Staff wanted to tell the pioneer story in a different way than through the traditional storytelling of the Old West’s history through dominant cultures, she said.

“We realized we need to expand this and rethink how we tell the story of the Old West,” she said. “We want to acknowledge that really everybody was a pioneer at one point.”

The origins of San Bernardino County are diverse with a strong indigenous history and Euro-centric migration with the settlement of Mormon, Mexican, Chinese, Italian and other cultural groups in the region.

As the largest county in the country that now has a majority Latino population, staff at the museum wanted to focus on the Old West to incorporate the legacies of those from the mid-to-late 1800s, indigenous individuals and those of Mexican and Spanish descent who were in the region before American settlers.

“We’ve built up a lot of legends and myths about who we are, and we’ve left out a lot of people and a lot of cultures in a lot of communities,” Russo said.

During the event, which is held over a weekend in January, visitors participate in demonstrations and interact with re-enactors through activities such as hay bale steer rope-lassoing, fabric doll-making, leather shoemaking, fabric wheel-spinning, butter-churning, weaving, quilt-making and even pony express letter-racing.

Visitors learn about how tools were used in different industries, how food was made and preserved, how to write with a quill pen, how to pan for gold and how to create lace and textiles.

“This is the mistake I think organizations can make — if you’re telling a story about another culture... the best way to tell that story is to get the culture of the people who run these organizations who speak for that culture, get them to partner with you because then it’s just so much more authentic,” Russo said.

Nearly 1,200 visitors participated in the 2020 Old West Days. The San Bernardino County Museum partnered with over 24 local organizations where individuals set up booths outside the museum and dressed the part to help tell the story of the county’s past.

“We require partners to be doing some demonstrations, so they always come with their own kind of mini programs, so it’s really fun in that regard,” she said.

Russo said the event is mutually beneficial for smaller organizations that partner with the museum because it builds the capacity for smaller nonprofits around the county.

“There’s a really great reciprocity,” she said, adding that many times, San Bernardino Museum staff also attend events held by their partners.

“We actually brought in the experts in their areas, in their cultures and by doing that we respected their voices as kind of the primary authority on their culture and we also enrich our community and respect their desire to come,” she said.

The museum is considering holding the event virtually for 2021.

“I think the more we can just embrace other cultures and see how everybody has contributed to this beautiful American quilt, I think that we move forward in a way more positive direction,” Russo said.

Contact San Bernardino County Museum Director Melissa Russo at melissa.russo@sbcm.sbcounty.gov for more information about the Old West Days event.

San Bernardino County’s Old West Days: Broadening Myths and Legends to Reflect Authentic Histories is the recipient of a best in category 2020 NACo Achievement Award in the Arts, Culture and Historic Preservation category.

Visitors participate in a rope-making demonstration during the San Bernardino County Museum’s Old West Days. Photo courtesy of San Bernardino County Museum

Visitors take a photo after learning about the daguerreotype process, the first publicly available photographic process, during the San Bernardino County Museum’s Old West Days. Photo courtesy of San Bernardino County Museum

San Bernardino County Museum Director Melissa Russo at melissa.russo@sbcm.sbcounty.gov for more information about the Old West Days event.

Photo courtesy of San Bernardino County Museum
CALIFORNIA

- County employees in Kern County will receive paid time off for getting tested for COVID-19. Supervisors approved a policy to reward any county employee with eight hours of paid time off if they receive six COVID-19 tests by the end of the year. The policy is estimated to cost $1.8 million in CARES Act funding, the Bakersfield Californian reported. Supervisors approved the policy following the implementation of a state metric system where counties that lack daily COVID-19 test numbers will be penalized with an increased case rate.

- Riverside County supervisors are planning to allocate $1 million in CARES Act funding to support adult learning centers that are providing virtual learning. The Education Device Support Program will purchase tablets and other equipment to provide underserved students with the tools needed for distance learning. There are 20 adult schools in the county with approximately 15,000 students, MyNewsLA.com reported.

COLORADO

Boulder County Public Health issued a public health order requiring individuals between 18 and 22 years old to stop all gatherings in Boulder. The order targets the University of Colorado student population and aims to reduce the spread of COVID-19 among young people. Individuals within the age group will not be allowed to participate in any gatherings of any size both indoors and outdoors with individuals of any age for 14 days, CBS4 Denver reported. The order also includes 36 addresses where residents must stay inside at all times. Exercise, study and traveling for work is allowed for individuals within the age group who do not live at the 36 addresses.

FLORIDA

- Commissioners in Manatee County formed a partnership to utilize self-flying drones in tandem with emergency medical services. The drones may be used to drop off life-saving items such as Narcan, tourniquets and EKGs faster than supplies can arrive by an ambulance. Each drone has the capability to fly 55 square miles in five minutes, according to Spectrum Bay News 9. The pilot program is expected to cost the county $1 per month and must be approved by the FAA before becoming permanent.

- The Miami-Dade County Association of Chiefs of Police held an annual photo shoot in October in support of breast cancer awareness month. Miami-Dade Police agencies parked their pink vehicles on the beach and stood in front of the fleet for the sunrise photoshoot to spread awareness about breast cancer.

- The Atlanta Journal-Constitution reported. The free event was open to parents of children in pre-K to high school. Schools in the county are currently all virtual with the possibility of returning to in-person learning in October.

MARYLAND

- Harford County is offering up to $5,000 each year to help volunteer EMS workers repay student loans. The NEXT GEN Responder program attracts and retains volunteer emergency workers for EMS services, The Baltimore Sun reported. Individuals who work for the county’s volunteer emergency services will earn $1 per month and must stay inside at all times.

LOUISIANA

Chairman of the Iberia Parish Council Eugene Olivier assisted families with cleanup efforts after homes were damaged from Hurricane Laura. When it was safe for homeowners to return to their homes, Olivier visited Lake Charles and helped individuals clean up their properties and assess the damages. The hurricane caused significant damage in communities stretching from Louisiana to Texas.

GEORGIA

Dekalb County held its 10th annual Let’s Move DeKalb back-to-school event to provide families in need with free backpacks and school supplies. The county gave away 750 backpacks that included snacks and face masks, The Atlanta Journal-Constitution reported. The free event was open to parents of children in pre-K to high school. Schools in the county are currently all virtual with the possibility of returning to in-person learning in October.

CALIFORNIA

- Voters in Santa Clara County will have an additional location to cast their ballots thanks to a partnership involving the San Francisco 49ers, Santa Clara County Registrar of Voters and other groups. The Levi’s Stadium will be used as a voting center for the presidential election where voters can drop off ballots, participate in early voting or vote in-person. The stadium served as a voting center for the California primary in March.

Photo courtesy of 49ers.com
fire or ambulance company can be eligible for four years of funds through the program. A volunteer can receive up to $20,000.

- The Planning Board in MONTGOMERY COUNTY temporarily suspended the prohibition of alcohol consumption at nine parks. The measure allows visitors to drink without a permit in designated areas of the park as part of the “Picnic in the Park” initiative, which encourages eating at socially distanced picnic spots to support local restaurants. Signs in the parks have QR codes that visitors can scan to find local restaurants that deliver food directly to the parks, DCist reported.

MINNESOTA
Attorney’s offices in HENNEPIN, RAMSEY and WASHINGTON counties are launching a tool to help residents seal their criminal records. The new online expungement application program allows individuals with criminal convictions who completed their sentences equal access to seal their criminal records, KSTP reported. Sealing records makes it easier for individuals to find employment and housing.

NEW JERSEY
The ESSEX COUNTY Board of Commissioners recently passed a symbolic resolution in favor of a proposed state law that would put a stop to thousands of low-level marijuana arrests. If passed, the new law would fine residents $25 for possessing marijuana that is less than a pound, Patch.com reported. “People who have been convicted of marijuana offenses should be able to move forward with their lives,” Commissioner-at-Large Rufus Johnson said.

NEW YORK
- A new committee will address abandoned properties across ERIE COUNTY, working for free with the owners of neglected homes, as well as residents to take more action on delinquent properties. The Erie County Legislature Vacant & Abandoned Properties

UTAH
A ballot measure could dramatically restrict industrial hog farms in MILLARD COUNTY. The Salt Lake Tribune reported that the initiative would outlaw new industrial hog farms across the county and would require any effort to site one to go on the ballot for a vote. Water quality, odor and decreased property values have concerned proponents of the initiative.

SOUTH DAKOTA
A proposed public safety center in LINCOLN COUNTY could cost about $26 million to build, an architecture firm selected for the project told commissioners last week. Representatives from Elevatus Architecture presented initial numbers and possible design for the proposed center at the commission meeting. Commission Chair Michael Poppens said the county pays for inmates to be transported to nine different county jails among three states and that the time to build a jail is now, the Argus Leader reported.

TEXAS
- The Texas Supreme Court has ruled that HARRIS COUNTY cannot send mail-in ballot applications to all registered voters. The attorney general’s office argued that the clerk does not have the authority to send an application out unless a voter has specifically requested one.
- Gov. Greg Abbott (R) has issued an executive order limiting counties to one ballot drop box for the general election. This forces HARRIS COUNTY to close 11 drop boxes and TRAVIS COUNTY to eliminate three drop boxes. CNN reported that two lawsuits have challenged Abbott’s order.

UTAH
The UTAH COUNTY Sheriff’s Office recently responded to a man stranded on a cliff at Bridal Veil Falls. Sixteen members of a search and rescue team responded to the waterfall to rescue the 37-year-old man. The crew helped the uninjured man down the mountain, where a medical team was on standby. Two days later and 300 miles south, a 25-year-old woman was rescued after falling 30 feet trying to save a puppy at another Bridal Veil Falls in SAN MIGUEL COUNTY, Colo., the Durango Herald reported.

WASHINGTON
- KING COUNTY has created a climate action toolkit to provide local governments with practical guidance on how to reduce greenhouse gas emissions for both government operations and at a community-wide scale. The toolkit also aims to stimulate the growth of an equitable clean energy economy. It is available for free to the county’s 39 cities. The toolkit will help cities conduct an inventory of climate emissions, quantifying how much is caused by transportation, or the built environment or industrial activity. It provides actionable and practical strategies for how to most effectively and quickly reduce greenhouse gas emissions based on the primary sources in their cities. It offers guidelines for community engagement, particularly with frontline communities that are disproportionately impacted by climate change.
- STEVENS COUNTY has seated an interim Board of Commissioners until Gov. Jay Inslee (D) appoints two new interim commissioners. The county’s three commissioners were removed in August. The county’s seven independently elected officials — the prosecutor, assessor, auditor, treasurer, clerk, coroner and sheriff — served as an interim Board.

News From Across the Nation is compiled by Charlie Ban and Rachel Looker. Does your county have news that we should consider? Contact cban@naco.org and rlooker@naco.org.
Welcome, Ocean County, N.J.

Ocean County is located along the Jersey Shore in New Jersey. It was established in 1850 and is the second largest county in the state with 638 square miles and 45 miles of coastline. The current population is around 607,000 with a large portion of county residents living in the county seat of Toms River.

The county has a strong maritime tradition with a history of whalers, commercial fishing and boating. Beachfront communities including Seaside Heights, Long Beach Island and Point Pleasant Beach are popular tourist destinations along the county’s coast. The Garden State Parkway, which runs the length of New Jersey, serves as a main route to bring tourists to the county’s beaches.

Ocean County is a gateway to the Pine Barrens, a large piece of land stretching over 1.1 million acres of the Pinelands National Reserve that is the largest body of open space on the mid-Atlantic seaboard.

The county is home to Six Flags Great Adventure where thrill-seekers can ride Kingda Ka, the world’s tallest roller coaster.

*Get to Know* features new NACo member counties.

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When:
Thursday, November 12 from 2-3 PM EDT